

#4
RESPONSE - NOTICE
OF MISSING PARTS
PATENT
File No.: A33631

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Park, et al.
Serial No. : 09/692,065
Filed : October 19, 2000
For : METHOD FOR PROCESSING SYNCHRONOUS MESSAGE IN
ASYNCHRONOUS MOBILE COMMUNICATION SYSTEM

RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION UNDER 37 C.F.R. 1.53(f)

Assistant Commissioner for Patents
Box: Missing Parts
Washington, DC 20231

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OFFICE OF PETITIONS

Sir:

Responsive to Notification of Missing Requirements under 35 U.S.C. 371 dated January 8, 2001, enclosed herewith is a Declaration referring to the above-identified application by one or more of the following in compliance with 37 C.F.R. 1.63:

- ☒ Name of inventor and application serial number;
- ☐ Name of inventor, attorney docket number which was on the application as filed, and filing date of the application;
- ☒ Name of inventor, title of invention and filing date;

CERTIFICATE OF MAIL

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on May 30, 2001.

Anthony Giaccio
Attorney Name

Signature

39,684

Registration No.

May 30, 2001

Date of Signature

- ☐ Name of inventor, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oath or declaration;
- ☐ Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

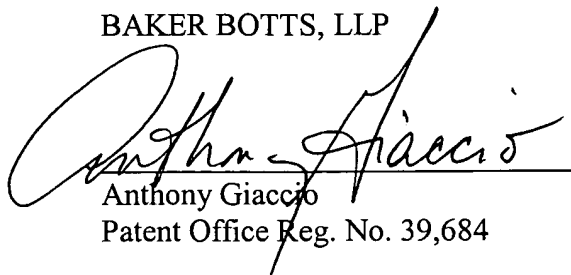
Also enclosed are:

1. ☒ A check in the amount of \$ 130.00
☒ \$130 - Other than Small Entity
☐ \$ 65 - Small Entity
representing payment of the surcharge
due for late filing of the Declaration
pursuant to 37 C.F.R. 1.16(e);
2. ☒ A three month extension of time to file the Response
to Missing Parts is respectfully requested.
The required fee, calculated pursuant to
1.136(a), is enclosed in the amount of \$ 890.00
3. ☐ Other \$
- TOTAL FEE \$1,020.00

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication to Deposit Account No. 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

BAKER BOTTS, LLP



Anthony Giaccio
Patent Office Reg. No. 39,684

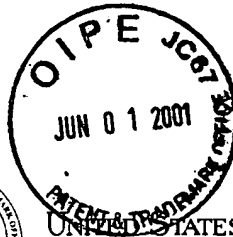
30 Rockefeller Plaza
New York, NY 10112
Attorneys for Applicant
(212) 408-2500

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#64



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/692,065 | 10/19/2000 | Jae-Hong Park | A33631 |

21003
BAKER & BOTTS
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

FORMALITIES LETTER



OC00000005661798

Date Mailed: 01/08/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

[Signature]
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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01 FC:105

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DAC#

PATENT
File No.: A33631

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

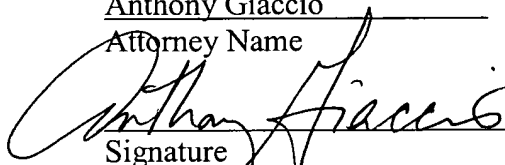
In re Application of : Park et al.
Serial No. : 09/692,065
Filed : October 19, 2001
For : METHOD FOR PROCESSING SYNCHRONOUS MESSAGE
IN ASYNCHRONOUS MOBILE COMMUNICATION SYSTEM

PETITION UNDER 37 C.F.R. §1.47

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail on May 30, 2001 in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Anthony Giaccio

Attorney Name


Signature

39,684

Registration No.

May 30, 2001

Date of Signature

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JUN 04 2001

OFFICE OF PETITIONS

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Applicants respectfully request entry of the attached Combined Declaration and Power of Attorney document executed by four of the five joint inventors of the above-captioned application because the non-signing inventor refused to join the application.

Accompanying this Petition are: (1) a check in the amount of \$1,150.00 in payment of (i) a petition fee of \$130.00 under 37 C.F.R. §17(i), (ii) the required surcharge under 37 C.F.R. §1.16(e) of \$130.00 for filing of the attached Declaration after the filing date, and (iii) an extension of time fee of \$890.00 for a three month extension of time; (2) a Response to Notice

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130.00 OP

to File Missing Parts; (3) a Declaration of Facts; and (4) the Combined Declaration and Power of Attorney document executed by four of the five joint inventors on their own behalf and on behalf of the non-signing inventor.

Pertinent Facts:

The above-captioned application was filed identifying the following five joint inventors: Jae-Hong, Ho-Geun Lee, Jeong-Hwa Ye, Yu-Ro Lee, and Woon-Hee Hwang. However, Woon-Hee Hwang has refused to join this patent application. Specifically, Woon-Hee Hwang was sent a letter October 9, 2000 to her last known address along with a copy of the above-captioned application, including specification, claims and a Combined Declaration and Power of Attorney document, and an Assignment document. A reminder letter was sent on October 20, 2000 and November 29, 2000. In addition, Woon-Hee Hwang was called on October 9, 2000, October 20, 2000 and November 29, 2000 and said that "she cannot assist you on this matter."

Attorneys for Applicants have made a bona fide attempt to allow Woon-Hee Hwang to join this application. However, Woon-Hee Hwang has repeatedly refused to sign the Combined Declaration and Power of Attorney and the Assignment document. A Declaration of Facts of Kwang-Suk Han, who has first-hand knowledge of these facts, is attached herewith.

The last known address for non-signing inventor Woon-Hee Hwang is:

Woon-Hee Hwang
Keilalahdentie 4,
FIN-02150
Espoo, Finland

Signing inventors, Jae-Hong Park, Ho-Geun Lee, Jeong-Hwa Ye and Yu-Ro Lee have executed the attached Combined Declaration and Power of Attorney document on their own

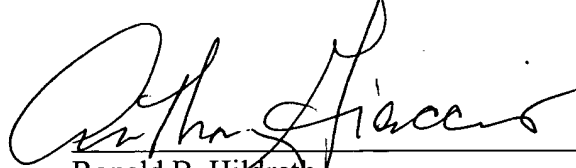
behalf and on behalf of the non-signing inventor. This action is necessary to preserve the rights of the parties and to prevent irreparable damage by way of abandonment of the above-captioned application.

Applicants respectfully request that this Petitioner Under 37 C.F.R. §1.47 be granted, that the attached Combined Declaration and Power of Attorney document be entered, that the above-captioned application be accorded the filing date of October 19, 2000, and that this application be allowed to continue prosecution.

Favorable consideration is earnestly solicited.

Respectfully submitted,

BAKER BOTTS L.L.P.

A handwritten signature in black ink, appearing to read "Ronald B. Hildreth", is written over a horizontal line.

Ronald B. Hildreth
Reg. No. 19,498

Anthony Giaccio
Reg. No. 39,684

Attorneys for Applicants
(212) 408-2500

Enclosures



PATENT.

File No.: A33631

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : PARK et al.

Serial No. : 09/692,065

Group: 2681

Filed : October 19, 2000

Examiner:

For : METHOD FOR PROCESSING SYNCHRONOUS MESSAGE IN
ASYNCHRONOUS MOBILE COMMUNICATION SYSTEM

DECLARATION OF FACTS

I, Han, Kwang-Suk, hereby declare and say:

1. I am a citizen of Republic of Korea, and reside at 1451-34 Seocho-dong, Seocho-ku, Seoul, Korea.

2. I am an employee of the assignee of the above-captioned application, HYUNDAI ELECTRONICS INDUSTRIES CO., LTD., San 136-1, Ami-ri, Bubal-eub, Ichon-shi, Kyoungki-do 467-860, Korea, and am empowered to act on behalf of the assignee, HYUNDAI ELECTRONICS INDUSTRIES CO., LTD.

3. This application was filed in the name of the following co-inventors:

Jae-Hong Park,
Woon-Hee Hwang,
Jeong-Hwa Ye,
Yu-Ro Lee and
Ho-Geun Lee.

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4. On October 9, 2000, I sent a letter to Woon-Hee Hwang, at her last knew address of Keilalahdentie 4, FIN-02150, Espoo, Finland enclosing a copy of the above-application including the specification, claims and Combined Declaration and Power of Attorney document. Also enclosed was an Assignment document.

5. A copy of my letter dated October 9, 2000 with attachments is attached hereto as Exhibit 1.

6. On October 20 and November 29, 2000, I sent letter, of reminder attached hereto as Exhibit 2 and 3.

7. On Oct. 9, Oct.20 and Nov. 29, 2000, at AM11:58, PM6:16 and PM8:13, at Seoul, Korea, I spoke to Woon-Hee Hwang and asked her to sign the Combined Declaration and Power of Attorney document and the Assignment document.

8. Woon-Hee Hwang said that she would not sign either document because "I cannot assist you on this matter".

9. I declare further that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, that these statements were made with the knowledge that willful false statements and the like so made are punishable-by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Dated: March 30, 2001

By: 

Name: HAN, Kwang-Suk

Title: Assistant Manager

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BAKER BOTTS L.L.P.
FILE NO.:

COMBINED DECLARATION AND POWER OF ATTORNEY

(Original, Design, National Stage of PCT, Divisional, Continuation or C-I-P Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD FOR PROCESSING SYNCHRONOUS MESSAGE IN ASYNCHRONOUS
MOBILE COMMUNICATION SYSTEM

This declaration is of the following type:

- ☒ original
- ☐ design
- ☐ national stage of PCT
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part (C-I-P)

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the specification of which: *(complete (a), (b), or (c))*

- (a) ☐ is attached hereto.
- (b) ☒ was filed on October 19, 2000 as Application Serial No. 09/692,065 and was amended on _____ (if applicable).
- (c) ☐ was described and claimed in PCT International Application No. _____ filed on _____ and was amended on _____ (if applicable).

Acknowledgement of Review of Papers and Duty of Candor

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the subject matter claimed in this application in accordance with Title 37, Code of Federal Regulation § 1.56.

☐ In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.98.

Priority Claim

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(b) of any foreign application(s) for patent or inventor's certificate or of any PCT International Application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International Application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed

(complete (d) or (e))

- (d) ☐ no such applications have been filed.
- (e) ☒ such applications have been filed as follows:

| PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS(6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION | | | | |
|---------------------------------------------------------------------------------------------------------------|-----------------|--------------------------------------|-------------------------------------|---------------------------------------------------------------------|
| COUNTRY | APPLICATION NO. | DATE OF FILING (day, month, year) | DATA OF ISSUE (day, month, year) | PRIORITY CLAIMED UNDER 35 USC119 |
| Republic of Korea | 1999-45391 | 19/10/1999 | | <input checked="" type="checkbox"/> YES NO <input type="checkbox"/> |
| Republic of Korea | 1999-47977 | 01/11/1999 | | <input checked="" type="checkbox"/> YES NO <input type="checkbox"/> |
| | | | | <input type="checkbox"/> YES NO <input type="checkbox"/> |
| ALL FOREIGN APPLICATION[S], IF ANY, FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION | | | | |
| | | | | <input type="checkbox"/> YES NO <input type="checkbox"/> |
| | | | | <input type="checkbox"/> YES NO <input type="checkbox"/> |
| | | | | <input type="checkbox"/> YES NO <input type="checkbox"/> |

Claim for Benefit of Prior U.S. Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

| Provisional Application Number | Filing Date |
|--------------------------------|-------------|
| | |
| | |
| | |

Claim for Benefit of Earlier U.S./PCT Application(s) under 35 U.S.C. 120

(complete this part only if this is a divisional, continuation or C-I-P application)

I here by claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

| | | |
|--------------------------|---------------|----------------------------------------|
| (Application Serial No.) | (Filing Date) | (Status(patented, pending, abandoned)) |
|--------------------------|---------------|----------------------------------------|

| | | |
|--------------------------|---------------|----------------------------------------|
| (Application Serial No.) | (Filing Date) | (Status(patented, pending, abandoned)) |
|--------------------------|---------------|----------------------------------------|

Power of Attorney

As a named inventor, I hereby appoint Dana M. Raymond, Reg. No. 18,540; Frederick C. Carver, Ref. No. 17,021; Francis J. Hone, Reg. No. 18,662; Joseph D. Garon, Reg. No. 20,420; Arthur S. Tenser, Reg. No. 18,839; Ronald B. Hildreth, Reg. No. 19,498; Thomas R. Nesbitt, Jr., Reg. No. 22, 075; Robert Neuner, Reg. No. 24,316; Richard G. Berkley, Reg. No. 25,465; Richard S. Clark, Reg. No. 26,154; Bradley B. Geist, Reg. No. 27,551; James J. Maune, Reg. No. 26,946; John D. Murnane, Reg. No. 29,836; Henry Tang, Reg. No. 29,705; Robert C. Scheinfeld, Reg. No. 31,300; John A. Fogarty, Jr., Reg. No. 22,348; Louis S. Sorell, Reg. No. 32,439; Rochelle K. Seide Reg. No. 32,300; Gary M. Butter, Reg. NO. 33,841; Marta E. Delsignore, Reg. No. 32,689; and Lisa B. Kole, Reg. No. 35,225 of the firm of BAKER BOTTS L.L.P., with offices at 30 Rockefeller Plaza, New York, New York 10112, as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

| | |
|------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| SEND CORRESPONDENCE TO: BAKER BOTTS L.L.P. 30 ROCKEFELLER PLAZA, NEW YORK, N.Y. 10112 CUSTOMER NUMBER: 21003 | DIRECT TELEPHONE CALLS TO: BAKER BOTTS L.L.P. (212)705-5000 |
|------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application or any patent issued thereon.

| | | | | |
|--------------------------------------------|-----------------------------------------------------|------------------------------------------------|---------------------------------------------|---------------------|
| FULL NAME OF SOLE OR FIRST INVENTOR | LAST NAME PARK | FIRST NAME JAE-HONG | MIDDLE NAME | |
| RESIDENCE & CITIZENSHIP | CITY Ichon-shi | STATE or FOREIGN COUNTRY Kyoungki-do, Korea | COUNTRY OF CITIZENSHIP Korea | |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS San 136-1, Ami-ri, Bubal-eub | CITY Ichon-shi, Kyoungki-do | STATE or COUNTRY Korea | ZIP CODE 467-860 |
| DATE Mar. 30, 2001 | SIGNATURE OF INVENTOR PARK JAE HONG | | | |
| FULL NAME OF SECOND JOINT INVENTOR, IF ANY | LAST NAME LEE | FIRST NAME HO-GEUN | MIDDLE NAME | |
| RESIDENCE & CITIZENSHIP | CITY Ichon-shi | STATE or FOREIGN COUNTRY Kyoungki-do, Korea | COUNTRY OF CITIZENSHIP Republic of Korea | |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS San 136-1, Ami-ri, Bubal-eub | CITY Ichon-shi, Kyoungki-do | STATE or COUNTRY Korea | ZIP CODE 467-860 |
| DATE Mar. 30, 2001 | SIGNATURE OF INVENTOR LEE, Ho Geun | | | |
| FULL NAME OF THIRD JOINT INVENTOR, IF ANY | LAST NAME YE | FIRST NAME JEONG-HWA | MIDDLE NAME | |
| RESIDENCE & CITIZENSHIP | CITY Ichon-shi | STATE or FOREIGN COUNTRY Kyoungki-do, Korea | COUNTRY OF CITIZENSHIP Korea | |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS San 136-1, Ami-ri, Bubal-eub | CITY Ichon-shi, Kyoungki-do | STATE or COUNTRY Korea | ZIP CODE 467-860 |
| DATE Mar. 30, 2001 | SIGNATURE OF INVENTOR YE JEONG HWA | | | |
| FULL NAME OF FOURTH JOINT INVENTOR, IF ANY | LAST NAME LEE | FIRST NAME YU-RO | MIDDLE NAME | |
| RESIDENCE & CITIZENSHIP | CITY Ichon-shi | STATE or FOREIGN COUNTRY Kyoungki-do, Korea | COUNTRY OF CITIZENSHIP Korea | |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS San 136-1, Ami-ri, Bubal-eub | CITY Ichon-shi, Kyoungki-do | STATE or COUNTRY Korea | ZIP CODE 467-860 |
| DATE Mar. 30, 2001 | SIGNATURE OF INVENTOR LEE YU RO | | | |
| FULL NAME OF FIFTH JOINT INVENTOR, IF ANY | LAST NAME HWANG | FIRST NAME WOON-HEE | MIDDLE NAME | |
| RESIDENCE & CITIZENSHIP | CITY | STATE or FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP Republic of Korea | |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS Keilalahdentie 4, FIN-02150 | CITY Espoo | STATE or COUNTRY Finland | ZIP CODE |
| DATE | SIGNATURE OF INVENTOR | | | |
| FULL NAME OF SIXTH JOINT INVENTOR, IF ANY | LAST NAME | FIRST NAME | MIDDLE NAME | |
| RESIDENCE & CITIZENSHIP | CITY | STATE or FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP | |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS | CITY | STATE or COUNTRY | ZIP CODE |
| DATE | SIGNATURE OF INVENTOR | | | |

Check proper box(es) for any added page(s) forming a part of this declaration

☐ Signature for ninth and subsequent joint inventors. Number of pages added _____.

☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor.
Number of pages added _____.

☒ Signature for inventor who refuses to sign, or cannot be reached, by person authorized under 37 CFR 1.47.
Number of pages added 2.